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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/952,368

11/17/1997

J. BRADLEY PHIPPS

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09/04/2002

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MOUNTAIN VIEW, CA 940397210

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 09/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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S M v

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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DATE MAILED:

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Commissioner of Patents and Trademarks

Please note the Notice of Defective Appeal Brief attached hereto.

Art Unit: 3763

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR

1.192(c)

The brief does not contain a concise statement of the issues presented for review as required by 37 CFR 1.192(c)(6). The disposition of the claims is partially correct as described by Applicant. The Examiner agrees with the disposition of rejections labeled (a.), (b.), (c.), (e.) and (f.). However, the Examiner has noted an error with Applicants rejection labeled (d.). In fact, a proper reading of the Rejection mailed 19 June 2001 would replace the improper interpretation of Applicant with the actual rejections that were previously provided upon Final Rejection.

d.¹ Whether Appellants' claims 1-10 and 12-25 are properly rejected under 35 U.S.C. §103(a) as being obvious over Tapper (U.S. Patent No. 4,822,334).

d.² Whether Appellants' claims 1-10 and 12-25 are properly rejected under 35 U.S.C. §103(a) as being obvious over Haak et al. (U.S. Patent No. 5,203,768).

The Examiner has therefore issued this notice to provide Applicant the opportunity to revise the issues and provide the necessary arguments for proper review by the Board of Patent Appeals.

The brief does not contain arguments of the appellant with respect to each of the issues presented for review in 37 CFR 1.192(c)(6), and the basis therefore, with citations of the authorities, statutes, and parts of the record relied on as required by 37 CFR 1.192(c)(8).

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or

Art Unit: 3763

THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

Contacts

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Michael Thompson whose telephone number is (703) 305-1619. The Examiner can normally be reached on Monday through Friday from 9 am to 5 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Primary, AnhTuan Nguyen, can be reached on (703) 308-2154. The official fax phone number for submissions to the organization where this application or proceeding is assigned is (703) 872-9302. The official fax phone number for submission of After Final response is (703) 872-9303.

Michael M. Thompson

Patent Examiner


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MT 

August 25, 2002